

TIPP CITY COUNCIL STUDY SESSION

TIPP CITY, MIAMI COUNTY, OHIO

MARCH 16, 2009

Study Session

City Manager Jon Crusey opened the Study Session at 7:00 p.m. on this date.

Roll Call

Council Members in attendance included: William D. Beagle, George H. Lovett, President Patrick A. Hale, John E. Kessler, Dolores Gillis, Mayor Tim Evans, and Vickie Blakey. Others in attendance included: Law Director Joseph P. Moore, Finance Director Richard Drennen, Assistant City Manager Bradley Vath, *Dayton Daily News* reporter Nancy Bowman, and Clerk of Council Cathy Ross.

**Discussion –
Financial Report Two
Month Check-up**

Mr. Drennen stated that the General Fund Receipts as of the end of February are \$731,061 with Expenses being \$819,117. This \$88,056 difference is normal for the first two months as the City normally spends more than it takes in at the beginning of the year. Several revenue sources are up including income tax, KWH tax and the cable franchise fees. The City will also receive \$148,385 in Estate Tax in late March, which is \$138,385 over budget fund. Gas expenditures have decreased and the cost cutting measures could save \$96,000 in the General Fund. Mr. Drennen informed Council that this is a good start for the year, but cautioned that it was still early. Council will receive another update in May.

Chapter 37 COLA

Mr. Crusey reminded Council members that Mr. Kessler had requested information on whether the 2% increase would be on base pay or if it would include overtime. Mr. Crusey reviewed the FLSA information and believes that FLSA does not permit the 2% to be given only on base pay and advised Council that when dealing with FLSA it is better to err on the side of caution. Mr. Crusey also noted that most of the overtime the City pays is for Police Officers and the Electric Department employees, who are covered by Collective Bargaining Agreements. Only a few Chapter 37 employees receive overtime, such as clerical staff and Police Sergeants. Council discussed the possibility of not granting any increase to Chapter 37 employees until the end of the year when the budget can be reviewed again. Mr. Lovett added that a lot of cuts were just made to the budget and it doesn't make sense to give an increase. Mrs. Gillis stated that if things are looking up later in the year, Council could always grant an increase at that time. She added that people all over the country are taking pay cuts.

Adjournment

The study session concluded at 7:25 p.m.

Patrick A. Hale, President of Council

Attest: _____
Cathy Ross, Clerk of Council

TIPP CITY COUNCIL MEETING

TIPP CITY, MIAMI COUNTY, OHIO

MARCH 16, 2009

Roll Call

President Patrick A. Hale called to order the regular meeting of the Tipp City Council at 7:30 p.m. Roll call showed the following Councilmembers present: William D. Beagle, George H. Lovett, President Patrick A. Hale, Dolores Gillis, Vickie Blakey, Mayor Evans, and John E. Kessler.

Others in attendance: City Manager Jon Crusey, Law Director Joseph P. Moore, Finance Director Richard Drennen, Assistant City Manager Bradley C. Vath, Detective Gary Gulden, *Dayton Daily News* reporter Nancy Bowman, *Sunday Record Herald* reporter Joyell Nevins, and Clerk of Council Cathy Ross.

Guests signing the register included: Steven Chaney, Rick Geel, Kiersten Fields, Sydni Ballow, Michelle Mericon, Courtney Holder, Cameron Gray, Brinn Marshall, Megan Weir, Hallie Donathan, Xiang Cheng, Alex Childs, Josh Wells, Ruth Monnier, Sam Wildow, Alison McQuarry, Leah Donoff, Rev. Gary Boggs, Catherine Reed, Kayla Stucke, Catherine Reed, Cassie Denniston, Bailey Arnold.

Invocation and Pledge of Allegiance

Pastor Gary Boggs from the First Baptist Church delivered the invocation and President Hale led the Pledge of Allegiance.

Approval of Agenda

The agenda was amended to remove Item A from the Resolutions on a motion from President Hale, seconded by Mr. Lovett.

The amended agenda was approved by a motion from Mr. Beagle, seconded by President Hale.

Adoption of Minutes

Mrs. Gillis moved, seconded by Mr. Kessler, to approve the minutes of the March 2, 2009 Pre-Meeting Study Session. The motion carried 6-0. Mayor Evans abstained.

Mrs. Gillis moved, seconded by President Hale, to approve the minutes of the March 2, 2009 Meeting. The motion carried 6-0. Mayor Evans abstained.

Presentations, Proclamations, and Awards

Mayor Evans named March, 2009 as American Red Cross Month and presented a Proclamation to Catherine Reed from the American Red Cross.

Ordinance (Second Reading) Ordinance __-09 Chapter 37

The following ordinances were presented to City Council for adoption.

Ordinance No. __-09: An ordinance amending Chapter 37 Appendix "A" and "B" of the codified ordinances of the City of Tipp City concerning benefit schedules for certain City employees not covered by a collective bargaining agreement. (Sponsored by Mr. Lovett)

Mr. Lovett initially sponsored this ordinance but withdrew his sponsorship. This ordinance died due to lack of sponsorship.

**Resolutions
(One Reading Required)**

**Resolution 15-09
Stimulus Projects**

The following resolutions were presented to City Council for adoption.

Resolution No. 15-09: A resolution authorizing the City Manager to submit applications for Federal American Reinvestment and Recovery Act of 2009 funds through the Miami Valley Regional Planning Commission.

Clerk of Council Summary: This resolution authorizes the submission of two transportation related Stimulus grant projects to the Miami Valley Regional Planning Commission.

City Manager Report - This resolution authorizes the City Manager to submit two (2) transportation projects to the Miami Valley Regional Planning Commission (MVRPC) for potential stimulus funding. The proposed projects involve 1) the paving of CR 25-A (8,480'), Evanston Road (1st Street to CR 25-A) and South Hyatt Street (Main Street south to corporate limits) and 2) the replacement of the Maple Hill Bridge which has been downgraded to a 4-ton load limit due to its deteriorated condition. Because of the tight timeline regarding applications for stimulus funds these projects have already been submitted to the MVRPC. There is approximately \$17M in stimulus funds available in the greater Dayton Area for transportation projects, which the MVRPC is responsible for collecting, ranking, and administering.

Mrs. Blakey questioned why these two projects were selected and asked if other more important projects were on the unfunded list. Mr. Crusey informed Council that to receive funds from the stimulus funding, projects had to be ready to go out to bid now or in a short period of time. He added that while there are many projects on the unfunded list, many are not ready to go and would require extensive engineering and environmental reviews. Tipp City was very limited in this first round and staff believes that these two projects could get underway if the funding is approved.

Mr. Lovett stated he will be voting yes on this Resolution, but believes the stimulus spending is excessive, is going to be a great burden to future generations, and he is strongly opposed to the nature and extent of it. Mr. Lovett added that if he thought voting against this would send a message to Washington and help curb some of these excesses he would immediately vote against it. However, voting against this would simply see this money go to other communities and Tipp City needs all the funding it can get to improve its infrastructure.

Mr. Beagle asked when we would know if these projects were approved. Mr. Crusey believed that it would be the first week of April.

There being no further discussion, Mr. Kessler sponsored this resolution and moved for its adoption, seconded by Mrs. Gillis.

The motion carried with a 7-0 vote. Resolution 15-09 was declared passed and President Hale affixed his signature in witness thereto.

**Ordinance
(First Reading)
Ordinance __-09**

Mr. Beagle sponsored an ordinance establishing seasonal and daily pass rates and related usage fees and charges for patrons of the Tippecanoe Family Aquatic Center.

TFAC Rates

Clerk of Council Summary: This ordinance establishes a fee schedule for daily, seasonal, and special use admissions to the Tippecanoe Family Aquatic Center in 2009.

City Manager Report: The adoption of this ordinance would increase daily fee admissions to the Tippecanoe Family Aquatic Center from \$5 to \$6 for youths (3-17) and from \$6 to \$7 for adults (18+). The daily admission for seniors would remain at \$5. The cost for punch cards is also being adjusted to reflect the increase in the daily fees. Council discussed Aquatic Center rates during Study Sessions on December 15, 2008 and February 17, 2009. Mr. Crusey advised Council to review the definition of "family" for purposes of purchasing pool passes before their vote at the next meeting.

Mr. Beagle asked if this was a change in the definition of family. Mr. Crusey stated that there had been no definition of family in the past that had been used consistently.

Ordinance __-09
Utility Charges

Mrs. Blakey sponsored an ordinance amending Chapter 53.01 of the Codified Ordinances to remove Exhibit A, the Electric Utility Charges, from the General Rules and Regulations of the Electric Utility Department.

Clerk of Council Summary: This ordinance removes the Electric Utility Charges from the General Rules and Regulations of the Electric Utility Department therefore allowing it to be part of the utility fee schedule.

City Manager Report: The adoption of this ordinance would amend Chapter 53 Electricity Regulations by removing Exhibit "A" - CHARGES FOR CONNECTION & RECONNECTION AND OTHER SPECIAL SERVICES. The following ordinance, if adopted, would enact amended Utility Fees and incorporate them into the existing Schedule of Fees.

Ordinance __-09
Schedule of Fees

Mr. Kessler sponsored an ordinance amending our schedule of fees to include Utility Fees.

Clerk of Council Summary: Council held a study session recommending changes to the utility fee schedule which are represented in this ordinance.

City Manager Report: The adoption of this ordinance would incorporate amended utility fees into the existing Schedule of Fees. The previous ordinance, if adopted, would remove said fees from Chapter 53 Electricity Regulations. The amended fees are more reflective of actual costs incurred by the City for the provision of such services. Council reviewed the amended fees during a March 2, 2009, Study Session and directed staff to draft legislation enacting the fees, as presented.

Motions
Tax Incentive Review
Council

A motion was made by President Hale and seconded by Mr. Lovett accepting the recommendations of the Tax Incentive Review Council. Motion was approved 6-1; Mrs. Blakey cast the dissenting vote.

Hiring of Seasonal
Employees

Mr. Crusey stated that with the cost cutting measures Council put in place, he was under the assumption that no employees would be hired

without the approval of Council. During the discussion, three seasonal employees from the Parks Department were cut, none from the other service departments. Mr. Lovett noted that the City is cutting back from 12 to 9 seasonal employees which is a 25% reduction. A motion was made by Mr. Beagle, seconded by Mr. Lovett and approved with a 6-1 vote to approve the hiring of seasonal part-time employees as outlined in the revised schedule. Mr. Kessler cast the dissenting vote.

Citizen Comments

Rev. Gary Boggs made a request for a Proclamation from the Mayor for the National Day of Prayer which is on May 7th. Rev. Boggs also requested that the Mayor or a Council member be present. Mayor Evans requested that the information be provided to either himself or the Clerk of Council.

Rick Geel, 933 Arapaho Trail. Mr. Geel questioned why the location of the stop sign at Arapaho & Bellaire was changed and asked if a study was done or if neighbors were questioned before this change was made. He stated that it has created a new nuisance of traffic with people speeding down Bellaire which didn't happen when there was a stop sign at the corner of Arapaho. Mr. Geel added that there are a lot of young children in the neighborhood. Council members stated this was the first they had heard of the change. Mayor Evans reported that the location of the stop sign has been reversed as it used to stop on Bellaire, but now stops traffic on Arapaho. Mr. Geel voiced his opinion that if a change needed to be made, it should have been made into a four-way stop. Mr. Crusey reported that the Engineering Department was doing engineering studies around town to determine if certain stops signs were needed or needed to be moved. He will provide Council with information on the changes that have been made. Council can then review the changes and determine whether they want to move things back to the way they were.

Rev. Gary Boggs reported that he was travelling in the area with a resident from that area that drove through the stop sign because they are used to the old traffic pattern. Rev. Boggs stated that there are concerns by other residents of the area.

**Councilmember
Comments**

Mr. Lovett stated that he recently had occasion to use the services of the Tipp City EMS and would like to publicly thank Dale and Mary. He added that Tipp City has a fine crew that is a real asset to the community.

President Hale agreed with Mr. Lovett's previous comments regarding the stimulus and bailouts currently being done by our lawmakers in Washington, DC. He believes it is a complete waste of taxpayer's money, but added that it would be negligent of Council not to try to obtain funds if they are available.

City Manager Comments

Mr. Crusey reported that Council was provided a copy of the report received from the Ohio Consumer Council which shows that Tipp City electric rates are 25% below those being paid by Dayton Power and Light customers. Mr. Crusey noted that Tipp City residents receive a lot of value especially given the fact that their monthly bill also includes street lighting and the exceptional service they get from our Electric Department.

**Adjourn to Executive
Session**

President Hale made a motion to adjourn to Executive Session after the meeting to include City Council, Mr. Crusey, and Mr. Vath to discuss a

Adjournment

personnel matter. Motion was seconded by Mr. Kessler and unanimously approved.

Council adjourned the Executive Session at 8:28 p.m. with a motion made by Mr. Lovett, seconded by Mayor Evans.

Patrick A. Hale, President of Council

Attest: _____
Cathy Ross, Clerk of Council